

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Roger N. Piasio and Madeline Wareing

Application No.: 10/083476

Confirmation No.: 4777

Filed: February 27, 2002

Art Unit: 1645

For: Modification of Bioassays for Detection of  
Antigens Characteristic of Bacteria that are  
Causative of Ear and Respiratory Infections to  
Eliminate False Positive Results Caused by  
Nasopharyngeal Colonization of Children

---

Examiner: Devi, Sarvamangala J N

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08a/b. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of the items listed on form PTO/SB/08a/b is given.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

Please charge our Deposit Account No. **06-1448, Ref. No. ISA-102.01** in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to the above-referenced Deposit Account.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Dated: March 5, 2007

Respectfully submitted,

By: /Jennifer A. Zarutskie/  
Jennifer A. Zarutskie  
Registration No.: 50,558  
FOLEY HOAG LLP  
155 Seaport Blvd  
Boston, Massachusetts 02210  
(617) 832-1754  
Attorney for Applicant